

**UNOFFICIAL VERSION**

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**THURSDAY, MARCH 1, 2018**

**FIFTY-SIXTH LEGISLATIVE DAY**

**CALL TO ORDER**

The Senate met at 8:30 a.m., and was called to order by Mr. Speaker McNally.

**PRAYER**

The proceedings were opened with prayer by Mr. Brent Culberson, the 2018 Chairman of the Tennessee Prayer Breakfast, in Nashville, Tennessee, a guest of Senator Dickerson.

**PLEDGE OF ALLEGIANCE**

Senator Dickerson led the Senate in the Pledge of Allegiance to the Flag.

**SALUTE TO THE FLAG OF TENNESSEE**

Senator Dickerson led the Senate in the Salute to the Flag of Tennessee.

**ROLL CALL**

The roll call was taken with the following results:

Present . . . . . 29

Senators present were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--29.

**COMMUNICATIONS**

February 28, 2018

Lt. Governor Randy McNally  
Cordell Hull Building  
Suite 700  
425 5th Avenue North  
Nashville, TN 37243

Dear Speaker McNally:

I am unable to attend tomorrow's Senate Session. Please let this letter serve as notice of my absence.

All the best,

/s/ Lee Harris

APPROVED: Lieutenant Governor  
Randy McNally

**THURSDAY, MARCH 1, 2018 -- 56TH LEGISLATIVE DAY**

March 1, 2018

Lt. Gov. Randy McNally  
Cordell Hull Building, 7th Floor  
Nashville, TN 37243

RE: Thursday, March 1, 2018 & Monday, March 5, 2018

Dear Lt. Gov. McNally:

I will be out of the office and not able to attend Session on Thursday, March 1, 2018 and Monday, March 5, 2018.

Please approve my not being present today and feel free to call me if you have any questions.

Sincerely,

/s/ Mark E. Green, M.D.  
State Senator  
District #22

APPROVED: Lieutenant Governor  
Randy McNally

March 1, 2018

Lt. Governor Randy McNally  
700 Cordell Hull Building  
Nashville, TN 37243

Dear Mr. Speaker:

I respectfully request to be excused from the Senate Session on Thursday, March 1, 2018. I returned to West Tennessee yesterday to attend the funeral of a friend. Thank you for your consideration of this request.

Sincerely,

/s/ Mark Norris  
Senator

APPROVED: Lieutenant Governor  
Randy McNally

**STANDING COMMITTEE REPORTS**

**FINANCE, WAYS AND MEANS**

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 686 with amendment, 1809, 2016, 2241, 2250 and 2256 with amendment.

WATSON, Chairperson  
February 27, 2018

**THURSDAY, MARCH 1, 2018 -- 56TH LEGISLATIVE DAY**

The Speaker announced that he had referred Senate Bills Nos. 686 with amendment, 1809, 2016, 2241, 2250 and 2256 with amendment to the Committee on Calendar.

**STATE AND LOCAL GOVERNMENT**

MR. SPEAKER: Your Committee on State and Local Government begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 363 with amendment, 1635 with amendment, 1690, 1959, 2096, 2167, 2342, 2343 with amendment, 2509 and 2638 with amendment; and Senate Joint Resolution No. 534; also, recommend that Senate Bill No. 2076 with amendment be referred to Committee on Finance, Ways and Means.

YAGER, Chairperson  
February 27, 2018

The Speaker announced that he had referred Senate Bills Nos. 363 with amendment, 1635 with amendment, 1690, 1959, 2096, 2167, 2342, 2343 with amendment, 2509 and 2638 with amendment; and Senate Joint Resolution No. 534 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2076 with amendment to the Committee on Finance, Ways and Means.

**COMMERCE AND LABOR**

MR. SPEAKER: Your Committee on Commerce and Labor begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1795 with amendment, 1824 with amendment, 1995 with amendment, 2242, 2251, 2470 with amendment, 2510, 2514 with amendment and 2529.

JOHNSON, Chairperson  
February 27, 2018

The Speaker announced that he had referred Senate Bills Nos. 1795 with amendment, 1824 with amendment, 1995 with amendment, 2242, 2251, 2470 with amendment, 2510, 2514 with amendment and 2529 to the Committee on Calendar.

**JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1656 with amendment, 1735, 1740 with amendment, 1790, 1826, 1871 with amendment, 1944, 2044 with amendment, 2311, 2384 and 2719; also, recommend that Senate Bill No. 1787 with amendment be referred to Committee on Finance, Ways and Means; and Senate Joint Resolution No. 521 be referred to Committee on State and Local Government.

KELSEY, Chairperson  
February 27, 2018

The Speaker announced that he had referred Senate Bills Nos. 1656 with amendment, 1735, 1740 with amendment, 1790, 1826, 1871 with amendment, 1944, 2044 with amendment, 2311, 2384 and 2719 to the Committee on Calendar.

## **THURSDAY, MARCH 1, 2018 -- 56TH LEGISLATIVE DAY**

The Speaker announced that he had referred Senate Bill No. 1787 with amendment to the Committee on Finance, Ways and Means.

The Speaker announced that he had referred Senate Joint Resolution No. 521 to the Committee on State and Local Government.

### **GOVERNMENT OPERATIONS**

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1532, 1558 and 2150; also, recommend that Senate Bill No. 1723 with amendment be referred to Committee on Education.

BELL, Chairperson  
February 28, 2018

The Speaker announced that he had referred Senate Bills Nos. 1532, 1558 and 2150 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 1723 with amendment to the Committee on Education.

### **JUDICIARY**

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1808 with amendment, 1815 with amendment, 2030 with amendment and 2517 with amendment; also, recommend that Senate Bills Nos. 1877, 1935 with amendment, 2028 and 2258 be referred to Committee on Finance, Ways and Means.

KELSEY, Chairperson  
February 28, 2018

The Speaker announced that he had referred Senate Bills Nos. 1808 with amendment, 1815 with amendment, 2030 with amendment and 2517 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1877, 1935 with amendment, 2028 and 2258 to the Committee on Finance, Ways and Means.

### **TRANSPORTATION AND SAFETY**

MR. SPEAKER: Your Committee on Transportation and Safety begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1492 with amendment, 1832, 2023 with amendment and 2351 with amendment; also, recommend that Senate Bill No. 2656 be referred to Committee on Finance, Ways and Means.

BAILEY, Chairperson  
February 28, 2018

The Speaker announced that he had referred Senate Bills Nos. 1492 with amendment, 1832, 2023 with amendment and 2351 with amendment to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2656 to the Committee on Finance, Ways and Means.

**HEALTH AND WELFARE**

MR. SPEAKER: Your Committee on Health and Welfare begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1670 with amendment, 1718, 1776, 2246, 2249, 2363, 2494 with amendment, 2513 with amendment, 2675 with amendment and 2714; and Senate Joint Resolution No. 565; also, recommend that Senate Bills Nos. 1797 with amendment, 1926 with amendment and 2303 be referred to Committee on Finance, Ways and Means.

CROWE, Chairperson  
February 28, 2018

The Speaker announced that he had referred Senate Bills Nos. 1670 with amendment, 1718, 1776, 2246, 2249, 2363, 2494 with amendment, 2513 with amendment, 2675 with amendment and 2714; and Senate Joint Resolution No. 565 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bills Nos. 1797 with amendment, 1926 with amendment and 2303 to the Committee on Finance, Ways and Means.

**EDUCATION**

MR. SPEAKER: Your Committee on Education begs leave to report that we have carefully considered and recommend for passage: Senate Bills Nos. 1471 and 2661; and Senate Joint Resolutions Nos. 552, 555, 594 and 595; also, recommend that Senate Bill No. 2393 with amendment be referred to Committee on Finance, Ways and Means.

GRESHAM, Chairperson  
February 28, 2018

The Speaker announced that he had referred Senate Bills Nos. 1471 and 2661; and Senate Joint Resolutions Nos. 552, 555, 594 and 595 to the Committee on Calendar.

The Speaker announced that he had referred Senate Bill No. 2393 with amendment to the Committee on Finance, Ways and Means.

**MOTION**

Senator Ketron moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **Senate Bill No. 2727** be passed on first consideration, which motion prevailed.

**INTRODUCTION OF BILL**

The Speaker announced the following bill was filed for introduction and passed first consideration:

**Senate Bill No. 2727** by Senator Johnson.

School Districts, Special -- As introduced, pursuant to the request of the Franklin special school district of Williamson County, permits the district to issue bonds or notes in an amount not to exceed \$26.5 million and to issue bond anticipation notes. Amends Chapter 563 of the Private Acts of 1949.

**MOTION**

Senator Ketron moved, pursuant to Rule 32 and Article II, Section 18 of the Constitution of the State of Tennessee, **House Bills Nos. 849, 1486, 1499, 1539, 1566, 1811, 1826 and 2169** be passed on first consideration, which motion prevailed.

**HOUSE BILLS ON FIRST CONSIDERATION**

The Speaker announced the following House Bills were transmitted to the Senate and passed first consideration:

**House Bill No. 849** -- Domestic Violence -- As introduced, directs funds from domestic assault fines to be used to pay for global positioning monitoring for indigent domestic abuse and stalking defendants; requires forms for bail in domestic abuse and stalking cases to indicate that global positioning monitoring was considered as a condition of bail and whether the monitoring requirement was imposed. Amends TCA Section 39-13-111 and Title 40, Chapter 11.

**House Bill No. 1486** -- Consumer Protection -- As introduced, prohibits a consumer reporting agency from charging a consumer to place or remove a credit freeze if the need for a freeze was caused by the consumer reporting agency. Amends TCA Title 47.

**House Bill No. 1499** -- Taxes, Alcoholic Beverages -- As introduced, extends by one year the manner in which liquor-by-the-drink tax proceeds are distributed to local political subdivisions. Amends TCA Title 4; Title 5; Title 6; Title 7; Title 8; Title 9; Title 49; Title 57 and Title 67.

**House Bill No. 1539** -- Health, Dept. of -- As introduced, requires the commissioner to develop and make available on the department's website educational literature about the risks and prevalence of sudden infant death syndrome (SIDS) and of research findings that may lead to the means of prevention, early identification, and treatment of SIDS. Amends TCA Title 56; Title 63 and Title 68.

**House Bill No. 1566** -- Handgun Permits -- As introduced, eliminates the restriction that a law enforcement officer who retires in good standing must have been a state resident at the time of retirement to be eligible for the issuance of a lifetime handgun carry permit for \$100. Amends TCA Title 39, Chapter 17, Part 13.

**House Bill No. 1811** -- Victims' Rights -- As introduced, updates victim notification requirements and procedures to reflect establishment of electronic victim notification system. Amends TCA Title 40 and Title 41.

**House Bill No. 1826** -- Safety -- As introduced, rewrites examination requirements for chief, deputy, and special boiler inspectors. Amends TCA Title 68, Chapter 122, Part 1.

**House Bill No. 2169** -- Holidays and Days of Special Observance -- As introduced, designates August 18 of each year as "Febb Burn Day" to honor her role in the enfranchisement of women. Amends TCA Title 15, Chapter 2.

**MOTION**

Senator Ketron moved, pursuant to Rule 21, **Senate Joint Resolutions Nos. 623 through 627 and 629 through 656**; and **Senate Resolutions Nos. 172 and 173** be passed on first consideration and lie over, which motion prevailed.

**INTRODUCTION OF RESOLUTIONS**

The Speaker announced the following resolutions were filed for introduction. Pursuant to Rule 21, the resolutions lie over.

**Senate Joint Resolution No. 623** by Senator Gresham.  
Memorials, Death -- John Edwin Emerson, Jr.

**Senate Joint Resolution No. 624** by Senator Gresham.  
Memorials, Death -- Lucion Ricks English.

**Senate Joint Resolution No. 625** by Senator Massey.  
Memorials, Recognition -- University of Tennessee, Knoxville Tennessee Speech and Debate Society.

**Senate Joint Resolution No. 626** by Senator Kelsey.  
Memorials, Recognition -- Survivors of the Holocaust.

**Senate Joint Resolution No. 627** by Senator Kelsey.  
General Assembly, Statement of Intent or Position -- Recognizes the challenges faced by medical professionals and facilities.

**Senate Joint Resolution No. 629** by Senators Gardenhire and Watson.  
Memorials, Death -- Senator Ray Albright.

**Senate Joint Resolution No. 630** by Senator Southerland.  
Memorials, Professional Achievement -- Paul Greene.

**Senate Joint Resolution No. 631** by Senator Southerland.  
Memorials, Recognition -- David Crockett Birthplace State Historic Park, Excellence in Interpretation award.

**Senate Joint Resolution No. 632** by Senator Southerland.  
Memorials, Recognition -- Greeneville Arts Council, 50th Anniversary.

**Senate Joint Resolution No. 633** by Senators Southerland and Swann.  
Memorials, Recognition -- Kestrel Troutman, Governor's Volunteer Stars Award.

**Senate Joint Resolution No. 634** by Senators Southerland and Swann.  
Memorials, Recognition -- Robert W. Blaesing, Governor's Volunteer Stars Award.

**Senate Joint Resolution No. 635** by Senator Southerland.  
Memorials, Recognition -- Cameron Hamilton, Governor's Volunteer Stars Award.

**Senate Joint Resolution No. 636** by Senator Southerland.  
Memorials, Recognition -- Don Hamilton, Governor's Volunteer Stars Award.

**Senate Joint Resolution No. 637** by Senator Southerland.  
Memorials, Recognition -- Newell "Hop" Byrd, Governor's Volunteer Stars Award.

**Senate Joint Resolution No. 638** by Senator Southerland.  
Memorials, Recognition -- Josh Jarnigan, Governor's Volunteer Stars Award.

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**Senate Joint Resolution No. 639** by Senator Swann.

Memorials, Personal Occasion -- Myrna Clodfelter Davis, 90th Birthday.

**Senate Joint Resolution No. 640** by Senator Ketron.

Memorials, Sports -- Blackman High School cheerleading team, UCA National High School Cheerleading Champion.

**Senate Joint Resolution No. 641** by Senator Green.

Memorials, Academic Achievement -- Hannah Elizabeth Flowers, Salutatorian, Clarksville Academy.

**Senate Joint Resolution No. 642** by Senator Green.

Memorials, Academic Achievement -- Mallory Saleh, Valedictorian, Clarksville Academy.

**Senate Joint Resolution No. 643** by Senator Green.

Memorials, Academic Achievement -- Chase Cromer, Salutatorian, Kenwood High School.

**Senate Joint Resolution No. 644** by Senator Green.

Memorials, Academic Achievement -- Aubrey Nicole Doll, Valedictorian, Kenwood High School.

**Senate Joint Resolution No. 645** by Senator Green.

Memorials, Academic Achievement -- Alyssa Bolster, Salutatorian, Rossview High School.

**Senate Joint Resolution No. 646** by Senator Green.

Memorials, Academic Achievement -- Sarah Lee, Valedictorian, Rossview High School.

**Senate Joint Resolution No. 647** by Senator Green.

Memorials, Academic Achievement -- Jordan Mackdanz, Salutatorian, Clarksville High School.

**Senate Joint Resolution No. 648** by Senator Green.

Memorials, Academic Achievement -- Catherine Howard, Valedictorian, Clarksville High School.

**Senate Joint Resolution No. 649** by Senator Green.

Memorials, Academic Achievement -- Hunter Silverstrim, Valedictorian, Northwest High School.

**Senate Joint Resolution No. 650** by Senator Green.

Memorials, Academic Achievement -- Caleigh Rozmenoski, Salutatorian, Northwest High School.

**Senate Joint Resolution No. 651** by Senator Green.

Memorials, Academic Achievement -- Navarone Dupont, Salutatorian, Northeast High School.

**Senate Joint Resolution No. 652** by Senator Green.

Memorials, Academic Achievement -- Jeal Patel, Valedictorian, Northeast High School.

**Senate Joint Resolution No. 653** by Senator Green.

Memorials, Academic Achievement -- Samantha Rodney, Salutatorian, West Creek High School.

**Senate Joint Resolution No. 654** by Senator Green.

Memorials, Academic Achievement -- Ethan Bruns, Valedictorian, West Creek High School.

**Senate Joint Resolution No. 655** by Senator Roberts.

Memorials, Personal Occasion -- Kathy Finley, 65th Birthday.



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**Senate Joint Resolution No. 656** by Senators Massey and Swann.  
Memorials, Recognition -- Imagination Library, 100 millionth donation.

**Senate Resolution No. 172** by Senator Gresham.  
Memorials, Death -- George Henry Moore, Jr.

**Senate Resolution No. 173** by Senator Gresham.  
Memorials, Death -- Margie Nell Wyatt Bishop.

**MOTION**

Senator Ketron moved, pursuant to Rule 21, **House Joint Resolutions Nos. 600, 694, 796 through 798, 800 through 836 and 838**; and **Senate Joint Resolutions Nos. 619 through 622** lie over and be referred to the appropriate committees or held on the Clerk's desk, which motion prevailed.

**RESOLUTIONS LYING OVER**

The Speaker announced the following resolutions passed second consideration and were referred to the appropriate committees or held on the desk, pursuant to Rule 21:

**House Joint Resolution No. 600** -- General Assembly, Statement of Intent or Position -- Urges the United States Food and Drug Administration to consider making Naloxone an over-the-counter medication.

The Speaker announced that he had referred House Joint Resolution No. 600 to the Committee on Health and Welfare.

**House Joint Resolution No. 694** -- General Assembly, Confirmation of Appointment -- Jim Rout, Heritage Conservation Trust Fund Board.

The Speaker announced that he had referred House Joint Resolution No. 694 to the Committee on Calendar.

**House Joint Resolution No. 796** -- Memorials, Death -- Getahn Ward.

The Speaker announced that he had referred House Joint Resolution No. 796 to the Committee on Calendar.

**House Joint Resolution No. 797** -- Memorials, Public Service -- Bledsoe County Coordinated School Health Program.

The Speaker announced that he had referred House Joint Resolution No. 797 to the Committee on Calendar.

**House Joint Resolution No. 798** -- Memorials, Recognition -- John Cousins Tripp.

The Speaker announced that he had referred House Joint Resolution No. 798 to the Committee on Calendar.

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**House Joint Resolution No. 800** -- Memorials, Recognition -- Beatrice Williams, Mary B. Conner Sisterly Relations Award.

The Speaker announced that he had referred House Joint Resolution No. 800 to the Committee on Calendar.

**House Joint Resolution No. 801** -- Memorials, Recognition -- Annie L. Barnes, Omicron Omega Golden Soror of the Year.

The Speaker announced that he had referred House Joint Resolution No. 801 to the Committee on Calendar.

**House Joint Resolution No. 802** -- Memorials, Recognition -- Nedra Butler-Ross, Reva Allman-Name That Soror Award.

The Speaker announced that he had referred House Joint Resolution No. 802 to the Committee on Calendar.

**House Joint Resolution No. 803** -- Memorials, Recognition -- Dr. Janice Garrett Booker, Vanessa Rogers Long Humanitarian Award.

The Speaker announced that he had referred House Joint Resolution No. 803 to the Committee on Calendar.

**House Joint Resolution No. 804** -- Memorials, Recognition -- Lauryn Joiner, Mary D. Shane-Miss AKA Outstanding Undergraduate Soror Award.

The Speaker announced that he had referred House Joint Resolution No. 804 to the Committee on Calendar.

**House Joint Resolution No. 805** -- Memorials, Recognition -- Kimberly JoAnne Reid, Mary D. Shane-Miss AKA Outstanding Undergraduate Soror Award.

The Speaker announced that he had referred House Joint Resolution No. 805 to the Committee on Calendar.

**House Joint Resolution No. 806** -- Memorials, Recognition -- Maya Hill, Mary D. Shane-Miss AKA Outstanding Undergraduate Soror Award.

The Speaker announced that he had referred House Joint Resolution No. 806 to the Committee on Calendar.

**House Joint Resolution No. 807** -- Memorials, Recognition -- Anesha Hines, Velma Lois Jones-New Soror of the Year Award.

The Speaker announced that he had referred House Joint Resolution No. 807 to the Committee on Calendar.

**House Joint Resolution No. 808** -- Memorials, Recognition -- Lillian Williams, Velma Lois Jones-New Soror of the Year.

**THURSDAY, MARCH 1, 2018 -- 56TH LEGISLATIVE DAY**

The Speaker announced that he had referred House Joint Resolution No. 808 to the Committee on Calendar.

**House Joint Resolution No. 809** -- Memorials, Recognition -- Tami Sawyer, 2018 Social Justice Honoree.

The Speaker announced that he had referred House Joint Resolution No. 809 to the Committee on Calendar.

**House Joint Resolution No. 810** -- Memorials, Recognition -- Terri Lee Freeman, 2018 Social Justice Honoree.

The Speaker announced that he had referred House Joint Resolution No. 810 to the Committee on Calendar.

**House Joint Resolution No. 811** -- Memorials, Recognition -- Brooklyn Driver, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 811 to the Committee on Calendar.

**House Joint Resolution No. 812** -- Memorials, Recognition -- Gay Chamberlain, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 812 to the Committee on Calendar.

**House Joint Resolution No. 813** -- Memorials, Recognition -- Davis Hendricks, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 813 to the Committee on Calendar.

**House Joint Resolution No. 814** -- Memorials, Recognition -- Darren Sexton, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 814 to the Committee on Calendar.

**House Joint Resolution No. 815** -- Memorials, Recognition -- Andrew King, U.S. Senate Page School.

The Speaker announced that he had referred House Joint Resolution No. 815 to the Committee on Calendar.

**House Joint Resolution No. 816** -- Memorials, Sports -- Celina K-8 Junior High Bulldog basketball team, James C. Haile Class A State Champions.

The Speaker announced that he had referred House Joint Resolution No. 816 to the Committee on Calendar.

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**House Joint Resolution No. 817** -- Memorials, Sports -- Celina K-8 Junior High Lady Bulldog basketball team, James C. Haile Class A State Champions.

The Speaker announced that he had referred House Joint Resolution No. 817 to the Committee on Calendar.

**House Joint Resolution No. 818** -- Memorials, Sports -- Leslie Sutton Massengille, Red Boiling Springs Basketball Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 818 to the Committee on Calendar.

**House Joint Resolution No. 819** -- Memorials, Sports -- Nikki Wood West, Red Boiling Springs Basketball Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 819 to the Committee on Calendar.

**House Joint Resolution No. 820** -- Memorials, Sports -- Michael Owens, Red Boiling Springs Basketball Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 820 to the Committee on Calendar.

**House Joint Resolution No. 821** -- Memorials, Sports -- Buddy Leonard.

The Speaker announced that he had referred House Joint Resolution No. 821 to the Committee on Calendar.

**House Joint Resolution No. 822** -- Memorials, Sports -- Randy Rice, Red Boiling Springs Basketball Hall of Fame.

The Speaker announced that he had referred House Joint Resolution No. 822 to the Committee on Calendar.

**House Joint Resolution No. 823** -- Memorials, Recognition -- Sgt. Alvin C. York State Historic Park, 2017 State Park of the Year.

The Speaker announced that he had referred House Joint Resolution No. 823 to the Committee on Calendar.

**House Joint Resolution No. 824** -- Memorials, Recognition -- Julia Grace Kidd, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 824 to the Committee on Calendar.

**House Joint Resolution No. 825** -- Memorials, Professional Achievement -- Dr. Anna McCarter, Sevier County Grades 5-8 Teacher of the Year.

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The Speaker announced that he had referred House Joint Resolution No. 825 to the Committee on Calendar.

**House Joint Resolution No. 826** -- Memorials, Professional Achievement -- Sissy Ivy, Sevier County Grades 9-12 Teacher of the Year.

The Speaker announced that he had referred House Joint Resolution No. 826 to the Committee on Calendar.

**House Joint Resolution No. 827** -- Memorials, Recognition -- Caleb Collins, Governor's Volunteer Stars Award.

The Speaker announced that he had referred House Joint Resolution No. 827 to the Committee on Calendar.

**House Joint Resolution No. 828** -- Memorials, Recognition -- Pellissippi State Community College's Video Production Technology Program.

The Speaker announced that he had referred House Joint Resolution No. 828 to the Committee on Calendar.

**House Joint Resolution No. 829** -- Memorials, Recognition -- Janie White Amburn.

The Speaker announced that he had referred House Joint Resolution No. 829 to the Committee on Calendar.

**House Joint Resolution No. 830** -- Memorials, Recognition -- Maggie Kulback, Wendell H. Gilbert Award.

The Speaker announced that he had referred House Joint Resolution No. 830 to the Committee on Calendar.

**House Joint Resolution No. 831** -- Memorials, Recognition -- Jamita Swearengen, 2018 Social Justice Honoree.

The Speaker announced that he had referred House Joint Resolution No. 831 to the Committee on Calendar.

**House Joint Resolution No. 832** -- Memorials, Recognition -- Deidre Malone, 2018 Social Justice Honoree.

The Speaker announced that he had referred House Joint Resolution No. 832 to the Committee on Calendar.

**House Joint Resolution No. 833** -- Memorials, Recognition -- Ethel Hedgeman Lyle.

The Speaker announced that he had referred House Joint Resolution No. 833 to the Committee on Calendar.

**House Joint Resolution No. 834** -- Memorials, Recognition -- Parsons Lions Club, 80th Anniversary.

The Speaker announced that he had referred House Joint Resolution No. 834 to the Committee on Calendar.

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**House Joint Resolution No. 835** -- Memorials, Death -- Daryle Singletary.

The Speaker announced that he had referred House Joint Resolution No. 835 to the Committee on Calendar.

**House Joint Resolution No. 836** -- Memorials, Sports -- John Best, OVC Basketball Legend.

The Speaker announced that he had referred House Joint Resolution No. 836 to the Committee on Calendar.

**House Joint Resolution No. 838** -- Memorials, Sports -- David Poile.

The Speaker announced that he had referred House Joint Resolution No. 838 to the Committee on Calendar.

**Senate Joint Resolution No. 619** -- General Assembly, Statement of Intent or Position -- Urges the Commissioner of the Department of Health to designate Alzheimer's disease and other related dementias as a public health issue.

The Speaker announced that he had referred Senate Joint Resolution No. 619 to the Committee on Health and Welfare.

**Senate Joint Resolution No. 620** -- Memorials, Recognition -- Delta Kappa Gamma Zeta Chapter, 80th Anniversary.

The Speaker announced that he had referred Senate Joint Resolution No. 620 to the Committee on Calendar.

**Senate Joint Resolution No. 621** -- Memorials, Recognition -- Sterling Haskel "Hack" Ayers, Campbell County Good Scout Award.

The Speaker announced that he had referred Senate Joint Resolution No. 621 to the Committee on Calendar.

**Senate Joint Resolution No. 622** -- Memorials, Heroism -- Commemorates Bob Underwood's heroism on anniversary of Harriman Flood of 1929.

The Speaker announced that he had referred Senate Joint Resolution No. 622 to the Committee on Calendar.

**NOTICE**

**MESSAGE FROM THE HOUSE**

February 26, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bill No. 1168, for further consideration.

TAMMY LETZLER,  
Chief Clerk

**CONSENT CALENDAR**

Objections having been raised, the following bills were placed at the heel of the calendar for Monday, March 5, 2018, pursuant to Rule 38: **Senate Resolutions Nos. 168 and 169.**

**Senate Joint Resolution No. 612** -- Memorials, Public Service -- Mark Gwyn, Director of TBI.

**Senate Joint Resolution No. 613** -- Memorials, Personal Occasion -- Troy and Mary Lee Frye, 70th Wedding Anniversary.

**Senate Joint Resolution No. 614** -- Memorials, Death -- Patricia L. Maxedon.

**Senate Joint Resolution No. 616** -- Memorials, Sports -- Bearden High School Dance Team.

**Senate Joint Resolution No. 617** -- Memorials, Recognition -- Nashville Public Library, 2017 Library of the Year Award.

**Senate Resolution No. 170** -- Memorials, Professional Achievement -- Mark McCluskey, MFRD Battalion Chief.

**Senate Resolution No. 171** -- Memorials, Recognition -- Randa Miner, 2017 Tree Farmer of the Year.

**House Joint Resolution No. 779** -- Memorials, Recognition -- Vietnam Veterans of America Chapter 995.

**House Joint Resolution No. 780** -- Memorials, Recognition -- Professor Daniel Simberloff, University of Tennessee, Knoxville.

**House Joint Resolution No. 781** -- Memorials, Recognition -- Professor David Mandrus, University of Tennessee, Knoxville.

**House Joint Resolution No. 782** -- Memorials, Recognition -- Nathan "Nearest" Green.

**House Joint Resolution No. 783** -- Memorials, Retirement -- Edwin D. Brown.

**House Joint Resolution No. 784** -- Memorials, Retirement -- Frank G. Goodlett.

**House Joint Resolution No. 785** -- Memorials, Recognition -- Demetria Kalodimos.

**House Joint Resolution No. 786** -- Memorials, Death -- Robert Walker.

**House Joint Resolution No. 787** -- Memorials, Death -- Echol Cole.

**House Joint Resolution No. 788** -- Memorials, Death -- Dennis Edwards.

**House Joint Resolution No. 789** -- Memorials, Recognition -- The Links Days on Capitol Hill.

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**House Joint Resolution No. 790** -- Memorials, Death -- Helen Ashe.

**House Joint Resolution No. 792** -- Memorials, Death -- Edwin W. Blackwell.

**House Joint Resolution No. 793** -- Memorials, Recognition -- Eddie Daugherty, Scott County Firefighter of the Year.

**House Joint Resolution No. 794** -- Memorials, Death -- Billy Gayle Barber.

**House Joint Resolution No. 795** -- Memorials, Death -- William O. "W.O." West, Jr.

**House Joint Resolution No. 799** -- Memorials, Recognition -- Habitat for Humanity in Tennessee, 40th Anniversary.

Senator Roberts moved that all Senate Joint Resolutions and Senate Resolutions be adopted; and all House Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**CALENDAR**

Senator Niceley moved that **Senate Bill No. 1913** be placed on the Calendar for Monday, March 5, 2018, which motion prevailed.

**Senate Bill No. 1922** -- Labor -- As introduced, extends repeal date for the Go Build Tennessee Program, from July 1, 2019, to July 1, 2024; deletes restriction that funds collected from contractor licensing revenue be used only to fund career and technical education programs and other certified and nationally accredited programs. Amends TCA Title 4, Chapter 41 and Title 62, Chapter 6, Part 1.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 4-41-107, is amended by deleting the language "§ 4-41-105(b)(1)" and substituting instead the language "§ 4-41-105(b)".

On motion, Amendment No. 1 was adopted.



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Thereupon, **Senate Bill No. 1922**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 29  
Noes . . . . . 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 1973** -- Insurance Companies, Agents, Brokers, Policies -- As introduced, provides that a contract between a purchaser of a pre-need funeral contract and a travel protection service provider is not a contract of insurance. Amends TCA Title 56 and Title 62, Chapter 5, Part 4.

Senator Johnson moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 56-2-126, is amended by adding the following language as a new subsection:

(c) A contract excluded from the definition of a "pre-need funeral contract" pursuant to § 62-5-403(9)(C) is not a contract of insurance within the meaning of this title.

SECTION 2. Tennessee Code Annotated, Section 62-5-403(9), is amended by adding the following language as a new subdivision:

(C) "Pre-need funeral contract" does not include a travel protection agreement for the coordination and arranging of all professional services related to the preparation for the purpose of transportation and subsequent transportation of a dead human body.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to contracts entered into or renewed on or after the effective date of this act.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1973**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 29  
Noes . . . . . 0

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Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 2011** -- Education, State Board of -- As introduced, grants the state board of education the power to reprimand directors of schools for failure to report certain criminal convictions of licensed educators to the state board; grants the state board the power to suspend an educator's license or reprimand an educator for misconduct in addition to the state board's present power to revoke licenses; grants the state board the power to reprimand educators for violations of the teacher code of ethics. Amends TCA Title 8 and Title 49.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-417, is amended by adding the following language as a new subsection:

(1) A director of schools, director of a public charter school, or director of a nonpublic school who learns of the conviction of a licensed educator employed by the LEA, charter school, or nonpublic school, respectively, for any offense listed in § 39-13-532, § 39-17-417, and § 40-35-501(i)(2) must report the conviction to the state board. The state board shall set the time frame within which the director shall report a conviction of a licensed educator. The state board may specify other offenses that a director is required to report upon learning of a conviction of a licensed educator for such offense.

(2) A director of schools, director of a public charter school, or director of a nonpublic school shall report to the state board licensed educators employed by the LEA, charter school, or nonpublic school, respectively, who have been suspended or dismissed, or who have resigned, following allegations of conduct, including sexual misconduct, which, if substantiated, would warrant consideration for license suspension or revocation under state board of education rule.

(3)(A) The department of education, in consultation with the state board, shall develop forms to be used by directors of schools, directors of charter schools, and directors of nonpublic schools for reporting offenses and instructions and procedures to be used in filling out and filing the forms. The department shall provide the form, instructions, and procedures at least annually at the beginning of each school year. The department may provide the forms, instructions, and procedures electronically.

(B) The forms and instructions shall state when the directors have a duty to report under this subsection and the time frame in which the required report is to be filed pursuant to state board rule.

(4) The state board may issue a public reprimand if a director fails to make a report as required by this part or by the state board. The state board shall send a copy of the reprimand to the director and a copy to the local board of education, charter school governing body, or nonpublic school governing body as applicable.

(5) As used in this section, "sexual misconduct" means any sexually related behavior with a child or student, regardless of the age of the child or student, whether verbal, nonverbal, written, physical, or electronic that is designed to establish a sexual relationship with the child or student, including, but not limited to, behaviors such as:

(A) Making sexual jokes, sexual remarks, or sexually suggestive comments;

(B) Engaging in sexual kidding, sexual teasing, sexual innuendo, or sexualized dialog;

(C) Dating or soliciting dates or sexual favors;

(D) Engaging in inappropriate physical contact or touching, groping, grabbing, or kissing; or

(E) Committing an offense under title 39, chapter 13, part 5, against a child or student.

SECTION 2. Tennessee Code Annotated, Section 49-1-302(a)(5)(A)(iv), is amended by deleting the subdivision and substituting instead:

Discipline of licensed personnel for misconduct by formal reprimand or by the suspension and revocation of licenses and certificates;

SECTION 3. The state board of education is authorized to promulgate rules to effectuate the purposes of this act. The rules shall be promulgated in accordance with title 4, chapter 5.

SECTION 4. Section 1 of this act shall take effect July 1, 2018, the public welfare requiring it. Sections 2 and 3 of this act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2011**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 28  
Noes . . . . . 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey,

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Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

**Senate Bill No. 2013** -- Teachers, Principals and School Personnel -- As introduced, revises the teacher code of ethics; requires annual professional development for teachers on the teacher code of ethics; requires teacher preparation programs to include training for all students on the teacher code of ethics. Amends TCA Title 49, Chapter 1; Title 49, Chapter 2; Title 49, Chapter 5 and Title 49, Chapter 6.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting from subdivision (b)(10) of the amendatory language of Section 1 the language "race; color; creed;" and substituting instead "race; color; creed; disability;".

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2013**, as amended, passed its third and final consideration by the following vote:

Ayes .....	28
Noes .....	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

**Senate Bill No. 2017** -- Local Education Agencies -- As introduced, extends homebound instruction to all students, instead of only pregnant students, who have a medical condition that prevents the student from attending regular classes. Amends TCA Title 49, Chapter 10, Part 11.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by inserting the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 49-10-1102, is amended by deleting the section.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2017**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 29  
Noes ..... 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 2101** -- Tennessee Higher Education Commission -- As introduced, changes from March 15 to October 1 the date by which the Tennessee higher education commission must report findings regarding research and analyzation of lottery scholarship and grant programs to the education committees of the senate and the house of representatives. Amends TCA Title 4, Chapter 3, Part 23; Title 49, Chapter 1, Part 3; Title 49, Chapter 4, Part 9 and Title 49, Chapter 7, Part 2.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 49-7-214, is amended by deleting the section.

SECTION 2. Tennessee Code Annotated, Section 49-1-302(a)(10), is amended by deleting the subdivision and substituting instead the following language:

(10) Meet jointly with the higher education commission and the commissioner of education at least annually for the purpose of reviewing the expenditures and programs of public education;

SECTION 3. Tennessee Code Annotated, Section 49-4-903(b), is amended by deleting the language "March 15" and substituting instead the language "October 1".

SECTION 4. Tennessee Code Annotated, Section 4-3-2312(e), is amended by deleting the subsection.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2101**, as amended, passed its third and final consideration by the following vote:

Ayes ..... 29  
Noes ..... 0

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Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 2193** -- Public Funds and Financing -- As introduced, authorizes commissioner of education and state treasurer, instead of the state board of education, to establish operational guidelines for the expenditure of the income from the special trust fund for education; makes other related revisions to the Volunteer Public Education Trust Fund Act of 1985. Amends TCA Title 49, Chapter 3, Part 4.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting Section 9 and substituting instead the following language:

SECTION 9. Tennessee Code Annotated, Section 49-3-406, is amended by deleting the section and substituting instead the following:

The state treasurer, in consultation with the commissioner of education, is authorized to promulgate rules necessary to perform their responsibilities under this part. The rules shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2193**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 29  
Noes . . . . . 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

Mr. Speaker McNally moved that **Senate Bill No. 2306** be placed on the Calendar for Monday, March 5, 2018, which motion prevailed.

**Senate Bill No. 2497** -- Election Laws -- As introduced, reduces from 90 days to 60 days the period before a qualifying deadline for elective office during which nominating petitions may be issued by an administrator, deputy, county election commissioner, or employee of the coordinator's office, other than nominating petitions for the offices of the President of the United States and delegates to the national conventions of all statewide political parties. Amends TCA Section 2-5-102.

Senator Yarbrow declared Rule 13 on **Senate Bill No. 2497**.

Senator Kelsey declared Rule 13 on **Senate Bill No. 2497**.

**Senate Bill No. 2497** passed its third and final consideration by the following vote:

Ayes .....	26
Noes .....	2

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Watson, Yager and Mr. Speaker McNally--26.

Senators voting no were: Kyle and Yarbrow--2.

A motion to reconsider was tabled.

**Senate Resolution No. 166** -- General Assembly, Review or Ratification of Rules -- Ratifies and approves the amendments and revisions to the Tennessee Rules of Criminal Procedure, as promulgated and adopted by the Tennessee Supreme Court.

**Senate Resolution No. 166** was adopted by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 574** -- Education, State Board of -- As introduced, requires the standards review and development committees and advisory teams appointed by the state board of education to review the academic standards for English language arts, mathematics, science, and social studies every seven years, beginning in 2022. Amends TCA Title 49, Chapter 1, Part 3.

Senator Gresham moved to amend as follows:

#### **AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-1-311, is amended by designating the existing language as subsection (a) and adding the following language as a new subsection (b):

Beginning in 2017, upon initial completion of the standards review and adoption, the state board shall ensure that the standards review and development committees and advisory teams review the standards for English language arts,

mathematics, science, and social studies pursuant to §§ 49-1-311 - 49-1-313 on an ongoing basis at least once every six (6) years from the last adoption and make recommendations for adoption of new standards in these subject areas to the state board, which shall vote on whether to adopt the recommended standards. It is the intent of the general assembly to make an annual appropriation to the board for the purposes of this section. Any unexpended funds appropriated for the purposes of this section shall not revert to the general fund, but shall be carried forward into the subsequent fiscal year to effectuate the purposes of this section.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Senator Gresham moved to amend as follows:

**AMENDMENT NO. 2**

AMEND by deleting the language "Beginning in 2017" in the amendatory language of Section 1 and substituting instead the language "Beginning in 2018".

On motion, Amendment No. 2 was adopted.

Thereupon, **Senate Bill No. 574**, as amended, passed its third and final consideration by the following vote:

Ayes .....	29
Noes .....	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--29.

A motion to reconsider was tabled.

**Senate Bill No. 1495** -- Consumer Protection -- As introduced, prohibits persons under 18 years of age from using tanning devices in tanning facilities in this state. Amends TCA Title 68, Chapter 117, Part 1.

Senator Crowe moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all of the language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-117-104(b), is amended by deleting subsections (b)(3), (b)(4), and (b)(5) and instead substituting the following:



(3)(A) Except as otherwise provided in subdivision (b)(3)(B), a person between sixteen (16) and eighteen (18) years of age shall be accompanied by the person's parent or legal guardian when using a tanning device. The accompanying parent or legal guardian must provide photo identification, provide proof of guardianship if applicable, and sign a warnings statement on a form issued by the department of health that complies with § 68-117-106 and states that the legal guardian is giving consent for use of a tanning device to the person who is between sixteen (16) and eighteen (18) years of age. The department of health shall issue a warning statement form that complies with this subdivision (b)(3)(A) on its website.

(B) A person between sixteen (16) and eighteen (18) years of age who has used a tanning device at a tanning facility in compliance with subdivision (b)(3)(A) may use a tanning device at that tanning facility without the parent or guardian present on a subsequent visit as long as the signed statement required by subdivision (b)(3)(A) remains on file with the tanning facility.

(4) A person under sixteen (16) years of age is prohibited from using a tanning device.

(5) The operator of the tanning facility shall maintain the signed statements provided for in subdivision (b)(3) for a period of not less than two (2) years and shall make them available for inspection upon request.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 1495**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	27
Noes . . . . .	0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Stevens, Swann, Watson, Yager, Yarbrow and Mr. Speaker McNally--27.

A motion to reconsider was tabled.

Senator Massey moved that **Senate Bill No. 1510** be placed on the Calendar for Monday, March 5, 2018, which motion prevailed.

Senator Stevens moved that **Senate Bill No. 1862** be placed on the Calendar for Monday, March 5, 2018, which motion prevailed.

**Senate Bill No. 2133** -- Sentencing -- As introduced, prohibits a sentencing court from making a sentencing determination based in whole or in part on defendant's consent or refusal to

consent to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given. Amends TCA Title 40.

Senator Kelsey moved to amend as follows:

**AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 35, Part 2, is amended by adding the following as a new section:

(a) As used in this section, "sterilization" means the process of rendering an individual incapable of sexual reproduction by castration, vasectomy, salpingectomy, or some other procedure and includes endoscopic techniques for female sterilization that can be performed outside of a hospital without general anesthesia such as culdoscopic, hysteroscopic, and laparoscopic sterilization.

(b) No guilty plea agreement or plea of nolo contendere shall be accepted by the court nor shall any criminal sentence be imposed by a judge if any part of the plea or sentence is in whole or in part conditioned or based upon the criminal defendant submitting to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given.

(c) A sentencing court shall not make a sentencing determination that is based in whole or in part on the defendant's consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given.

(d) This section shall not apply to the provision of educational services on the matters of temporary or permanent birth control, sterilization, or family planning services.

SECTION 2. Tennessee Code Annotated, Section 40-35-302, is amended by adding the following as a new subsection:

( ) (1) As used in this subsection, "sterilization" means the process of rendering an individual incapable of sexual reproduction by castration, vasectomy, salpingectomy, or some other procedure and includes endoscopic techniques for female sterilization that can be performed outside of a hospital without general anesthesia such as culdoscopic, hysteroscopic, and laparoscopic sterilization.

(2) A sentencing court shall not make a sentencing determination that is based in whole or in part on the defendant's consent or refusal to consent to any form of temporary or permanent birth control, sterilization, or family planning services, regardless of whether the defendant's consent is voluntarily given.

(3) This subsection shall not apply to the provision of educational services on the matters of temporary or permanent birth control, sterilization, or family planning services.

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SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to any plea agreement or plea of nolo contendere entered into or sentencing determination made on or after the effective date.

On motion, Amendment No. 1 was adopted.

Thereupon, **Senate Bill No. 2133**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 22  
Noes . . . . . 4

Senators voting aye were: Bell, Crowe, Dickerson, Gardenhire, Gresham, Haile, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Pody, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--22.

Senators voting no were: Briggs, Harper, Hensley and Niceley--4.

A motion to reconsider was tabled.

**House Bill No. 1320** -- Health Care -- As introduced, enacts the "Long-Acting Birth Control Information Act." Amends TCA Title 8; Title 63; Title 68 and Title 71, as amended.

Thereupon, **House Bill No. 1320**, as amended, passed its third and final consideration by the following vote:

Ayes . . . . . 24  
Noes . . . . . 3

Senators voting aye were: Bell, Briggs, Crowe, Dickerson, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Pody, Roberts, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--24.

Senators voting no were: Bowling, Gardenhire and Gresham--3.

A motion to reconsider was tabled.

**MESSAGE CALENDAR**

**SENATE BILL ON HOUSE AMENDMENT**

**Senate Bill No. 1608** -- Child Custody and Support -- As introduced, establishes as a ground on which termination of parental rights may be based the fact that the parent subject to the action for termination was convicted of or found civilly liable for attempting to cause the intentional and wrongful death of the child's other parent or legal guardian. Amends TCA Section 36-1-113.

**HOUSE AMENDMENT NO. 1**

AMEND by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-1-113, is amended by adding the following new subdivision to subsection (g):

(15)(A) The parent or legal guardian has been convicted of attempted first degree murder or attempted second degree murder of the child's other parent or legal guardian;

(B) When one (1) of the child's parents or legal guardians has been convicted of attempted first degree murder or attempted second degree murder of the child's other parent or legal guardian, the child's non-offending parent or legal guardian shall have standing to file a petition to terminate the parental or guardianship rights of the convicted parent or legal guardian. Nothing in this section shall give a parent or legal guardian standing to file a petition to terminate parental or guardianship rights based on grounds other than those listed in subdivision (g)(10) or (g)(11) or this subdivision (g)(15);

SECTION 2. Tennessee Code Annotated, Section 36-1-113(g)(7), is amended by deleting the subdivision and substituting instead the following:

(7) The parent has been:

(A) Convicted of first degree or second degree murder of the child's other parent or legal guardian; or

(B) Found civilly liable for the intentional and wrongful death of the child's other parent or legal guardian;

SECTION 3. Tennessee Code Annotated, Section 36-1-113(g)(10), is amended by adding the language "or subdivision (g)(11) or (g)(15)" immediately after the language "in this subdivision (g)(10)".

SECTION 4. Tennessee Code Annotated, Section 36-1-113, is amended by deleting from subdivision (g)(11)(B) the language "in this subdivision (g)(11)" and substituting instead the language "in subdivision (g)(10), this subdivision (g)(11), or subdivision (g)(15)".

SECTION 5. Tennessee Code Annotated, Section 36-1-113(b)(1), is amended by deleting the language "pursuant to subdivision (g)(11)" and substituting instead the language "pursuant to subdivision (g)(10), (g)(11), or (g)(15)".

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to petitions filed on or after that date.

Senator Kelsey moved that the Senate concur in House Amendment No. 1 to **Senate Bill No. 1608**, which motion prevailed by the following vote:

Ayes . . . . . 28  
Noes . . . . . 0

Senators voting aye were: Bailey, Bell, Bowling, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Niceley,

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Pody, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbrow and Mr. Speaker McNally--28.

A motion to reconsider was tabled.

**MOTION**

Senator Bailey moved that Rule 83(8) be suspended for the purpose of placing **Senate Bill No. 727** on the calendar for the Committee on Transportation and Safety for Wednesday, March 7, 2018, which motion prevailed.

**MOTION**

Senator Kelsey moved that Rule 83(8) be suspended for the purpose of placing **Senate Bills Nos. 1500 and 1987** on the calendar for the Committee on Judiciary for Tuesday, March 6, 2018, which motion prevailed.

**MR. SPEAKER McNALLY RELINQUISHES CHAIR**

Mr. Speaker McNally relinquished the Chair to Senator Niceley.

**MOTION**

Senator Yarbrow moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 865**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 865** -- Memorials, Personal Occasion -- Joe and Ann Millsaps, 60th Wedding Anniversary.

On motion of Senator Yarbrow, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 865** was concurred in.

A motion to reconsider was tabled.

**MOTION**

Senator Yarbrow moved that Rule 37 be suspended for the immediate consideration of **House Joint Resolution No. 838**, out of order, which motion prevailed.

**RESOLUTION LYING OVER**

**House Joint Resolution No. 838** -- Memorials, Sports -- David Poile.

On motion of Senator Yarbrow, the rules were suspended for the immediate consideration of the resolution.

On motion, **House Joint Resolution No. 838** was concurred in.

A motion to reconsider was tabled.

**RECALL OF BILL**

On motion of Speaker Pro Tempore Niceley, **Senate Bill No. 2509** was recalled from the Committee on Calendar.

**REFERRAL OF BILL**

Speaker Pro Tempore Niceley moved that Senate Bill No. 2509 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

**RECALL OF BILLS**

On motion of Speaker Pro Tempore Niceley, **Senate Bills Nos. 2095, 2099 and 2485** were recalled from the Committee on Judiciary.

**REFERRAL OF BILLS**

Speaker Pro Tempore Niceley moved that Senate Bills Nos. 2095, 2099 and 2485 be referred to the Committee on Health and Welfare, which motion prevailed.

**RECALL OF BILL**

On motion of Speaker Pro Tempore Niceley, **Senate Bill No. 2703** was recalled from the Committee on Education.

**WITHDRAWAL OF BILL**

On motion of Speaker Pro Tempore Niceley, Senate Bill No. 2703 was withdrawn from the Senate.

**MOTION**

On motion of Senator Dickerson, his name was added as sponsor of **Senate Bill No. 378**.

On motion of Senator Swann, his name was added as prime sponsor of **Senate Bill No. 567**.

On motion of Senator Overbey, his name was removed as sponsor of **Senate Bill No. 567**.

On motion of Senator Harper, her name was added as sponsor of **Senate Bill No. 617**.

On motion of Senator Southerland, his name was added as sponsor of **Senate Bill No. 1062**.

On motion of Senator Gardenhire, his name was added as prime sponsor of **Senate Bill No. 1391**.

On motion of Senator Tate, his name was removed as sponsor of **Senate Bill No. 1391**.

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On motion of Senators Johnson and Ketron, their names were added as sponsors of **Senate Bill No. 1510**.

On motion of Senators Yarbro, Johnson and Jackson, their names were added as sponsors of **Senate Bill No. 1720**.

On motion of Senators Kyle, Lundberg, Ketron and Bowling, their names were added as sponsors of **Senate Bill No. 1790**.

On motion of Senator Ketron, his name was added as sponsor of **Senate Bills Nos. 1862, 1913, 1973, 2011 and 2193**.

On motion of Senators Ketron and Yarbro, their names were added as sponsors of **Senate Bill No. 1922**.

On motion of Senators Ketron, Massey and Yager, their names were added as sponsors of **Senate Bill No. 2013**.

On motion of Senator Yarbro, his name was added as sponsor of **Senate Bill No. 2017; and House Joint Resolution No. 865**.

On motion of Senator Gardenhire, his name was added as sponsor of **Senate Bill No. 2126**.

On motion of Senator Gardenhire, his name was added as prime sponsor of **Senate Bill No. 2549**.

On motion of Senator Tate, his name was removed as sponsor of **Senate Bill No. 2549**.

On motion of Senator Bowling, her name was added as sponsor of **Senate Bill No. 2621**.

On motion of Senator Yarbro, his name was added as prime sponsor of **Senate Bill No. 2702**.

On motion of Senators Bailey, Bell, Briggs, Crowe, Dickerson, Gardenhire, Gresham, Haile, Harper, Hensley, Jackson, Johnson, Kelsey, Ketron, Kyle, Lundberg, Massey, Niceley, Roberts, Southerland, Stevens, Swann, Tate, Watson, Yager, Yarbro and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 612**.

On motion of Senator Briggs and Mr. Speaker McNally, their names were added as sponsors of **Senate Joint Resolution No. 616**.

On motion of Senator Swann, his name was added as sponsor of **Senate Joint Resolutions Nos. 633 and 634**.

On motion of Mr. Speaker McNally, his name was added as sponsor of **House Joint Resolution No. 779**.

On motion of Senators Massey, Briggs and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolutions Nos. 780 and 781**.

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On motion of Senators Haile, Yarbrow and Mr. Speaker McNally, their names were added as sponsors of **House Joint Resolution No. 785**.

On motion of Senators Massey, Briggs and Mr. Speaker McNally; and Senators Kyle and Yager, their names were added as sponsors of **House Joint Resolution No. 790**.

On motion of Senators Haile and Pody, their names were added as sponsors of **House Joint Resolution No. 792**.

On motion of Senators Pody and Yager, their names were added as sponsors of **House Joint Resolutions Nos. 793, 794 and 795**.

On motion of Senators Bailey, Massey and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 799**.

On motion of Senators Dickerson, Haile, Harper and Yarbrow, their names were added as sponsors of **House Joint Resolution No. 838**.

**ENGROSSED BILLS**

March 1, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully examined: Senate Bills Nos. 574, 1495, 1922, 1973, 2011, 2013, 2017, 2101, 2133, 2193 and 2497; and Senate Joint Resolutions Nos. 612, 613, 614, 616 and 617; and find same correctly engrossed and ready for transmission to the House.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 1478, 1557, 1562, 1666, 1675, 1683, 1719, 1944, 2128 and 2370; passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 837, adopted, for the Senate's action.

TAMMY LETZLER,  
Chief Clerk



**THURSDAY, MARCH 1, 2018 -- 56TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolution No. 865, adopted, for the Senate's action.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 696 and 1610, substituted for House Bills on same subjects and passed by the House.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 562, 596, 597, 598 and 628; concurred in by the House.

TAMMY LETZLER,  
Chief Clerk

**ENROLLED BILLS**

March 1, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have carefully compared Senate Bills Nos. 696, 1608 and 1610; Senate Joint Resolutions Nos. 562, 596, 597, 598 and 628; and Senate Resolutions Nos. 166, 170 and 171; and find same correctly enrolled and ready for the signatures of the Speakers.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE HOUSE**

February 28, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 770, 771, 772, 773, 774, 775, 776, 777 and 791; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**THURSDAY, MARCH 1, 2018 -- 56TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Bills Nos. 67, 902, 1515, 1517, 1527 and 1682; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 838 and 865, for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 2, 2018

MR. SPEAKER: I am directed to transmit to the Senate, House Joint Resolutions Nos. 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 792, 793, 794, 795 and 799; for the signature of the Speaker.

TAMMY LETZLER,  
Chief Clerk

**SIGNED**

February 28, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 770, 771, 772, 773, 774, 775, 776, 777 and 791.

**SIGNED**

March 1, 2018

The Speaker announced that he had signed the following: Senate Joint Resolutions Nos. 562, 596, 597, 598 and 628; and Senate Resolutions Nos. 166, 170 and 171.

**SIGNED**

March 1, 2018

The Speaker announced that he had signed the following: House Bills Nos. 67, 1517, 902, 1527, 1682 and 1515.

**SIGNED**

March 1, 2018

The Speaker announced that he had signed the following: House Joint Resolutions Nos. 838 and 865.

**THURSDAY, MARCH 1, 2018 -- 56TH LEGISLATIVE DAY**

**MESSAGE FROM THE HOUSE**

February 28, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Bills Nos. 1047, 1483, 1514, 1734, 1777, 2118, 2157 and 2471; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**MESSAGE FROM THE HOUSE**

March 1, 2018

MR. SPEAKER: I am directed to return to the Senate, Senate Joint Resolutions Nos. 562, 596, 597, 598 and 628; signed by the Speaker.

TAMMY LETZLER,  
Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

February 28, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Bills Nos. 1047, 1483, 1514, 1734, 1777, 2118, 2157 and 2471; for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**REPORT OF DEPUTY CHIEF CLERK**

February 28, 2018

MR. SPEAKER: Your Deputy Chief Clerk begs leave to report that we have transmitted to the Governor the following: Senate Joint Resolutions Nos. 472 and 618, for his action.

ALAN WHITTINGTON,  
Deputy Chief Clerk

**MESSAGE FROM THE GOVERNOR**

February 28, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Bill No. 2217, with his approval.

DWIGHT E.TARWATER,  
Counsel to the Governor

**MESSAGE FROM THE GOVERNOR**

March 1, 2018

MR. SPEAKER: I am directed by the Governor to return herewith: Senate Joint Resolutions Nos. 472 and 618, with his approval.

DWIGHT E.TARWATER,  
Counsel to the Governor

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 1**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 5, 2018: Senate Joint Resolutions Nos. 620, 621 and 622; House Joint Resolutions Nos. 796, 797, 798, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835 and 836; and Senate Resolutions Nos. 168 and 169.

This the 2nd day of March, 2018  
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR  
CONSENT CALENDAR # 2**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 5, 2018: Senate Bills Nos. 1471, 1532, 1558, 1690, 1718, 1735, 1776, 1809, 1826, 1832, 1944, 2016, 2096, 2150, 2167, 2239, 2241, 2242, 2246, 2249, 2251, 2311, 2342, 2363, 2384, 2510, 2529, 2661 and 2714; and Senate Joint Resolution No. 525.

This the 2nd day of March, 2018  
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR**

MR. SPEAKER: Your Committee on Calendar begs leave to report that we have met and set the following bills on the calendar for Monday, March 5, 2018: Senate Bill Nos. 363, 1656, 1740, 1790, 1795, 1808, 1815, 1824, 1959, 1995, 2044, 2256, 2494, 1510, 1862, 1913 and 2306.

This the 2nd day of March, 2018  
ROBERTS, Chairperson

**REPORT OF COMMITTEE ON CALENDAR  
MESSAGE CALENDAR**

Pursuant to Rule 44, notice has been given on the following bill and it has been set on the Message Calendar for Monday, March 5, 2018: Senate Bill No. 1168.

This the 2nd day of March, 2018  
ROBERTS, Chairperson

**ADJOURNMENT**

Senator Ketron moved the Senate adjourn until 4:00 p.m., Monday, March 5, 2018, which motion prevailed.